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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

JEREMY R. WHITELEY,  
Plaintiff,  
vs.

USAA CASUALTY INSURANCE  
COMPANY,  
Defendant.

Case No. 2:24-cv-00138- FLA-MAA  
Assigned to the Honorable Fernando  
L. Aenlle-Rocha

**JEREMY WHITELEY'S  
AMENDED NOTICE OF CROSS-  
MOTION AND CROSS-MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT**

*[Filed concurrently with  
Memorandum of Points & Authorities;  
Evidentiary Objections; Responsive  
Separate Statement; Declarations of S.  
Crosner, J Schratz, & J. Whiteley;  
[Proposed] Order]*

Date: March 14, 2025  
Time: 1:30p.m.  
Ctrm: 6B

Complaint Filed on January 5, 2024

1 TO THE ABOVE-ENTITLED COURT AND ATTORNEYS OF RECORD:  
2 PLEASE TAKE NOTICE that on March 14, 2025 at 1:30 p.m., or as soon  
3 thereafter as the matter may be heard in Courtroom 6B of the United States District  
4 Court for the Central District of California, located at 350 West First Street, Los  
5 Angeles, California, Plaintiff Jeremy Whiteley will and does move the Court for an  
6 order granting partial summary judgment establishing that Defendant had a duty to  
7 defend the underlying lawsuit titled *Breaking Code Silence v. McNamara*, Case No.  
8 2:22-cv-002052, in the Central District of California. Plaintiff is entitled to partial  
9 summary judgment regarding Defendant's duty to defend because Defendant has  
10 failed to raise a triable issue of fact and Plaintiff is entitled to judgment as a matter  
11 of law.

12 This motion is made following the conference of counsel pursuant to L.R. 7-3  
13 which took place on December 12, 2024. Declaration of Jessica J. Ross ("Ross  
14 Decl."), ¶ 6.

15 This motion is based on this Notice of Motion and Motion, the Memorandum  
16 of Points and Authorities filed in support thereof [Docket No. 46], the concurrently-  
17 filed Declarations of Jeremy Whiteley [Docket No. 50], Jim Schratz [Docket  
18 No. 49], and Shaun Crosner [Docket No. 51], Jeremy Whiteley's Statement of  
19 Genuine Disputes and Responsive Statement of Uncontroverted Facts In Support of  
20 His Opposition to USAA's Motion for Summary Judgment and His Cross-Motion  
21 for Partial Summary Judgment [Docket No. 47], and such other and additional  
22 evidence and argument as may be properly presented in support of the motion.

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25 DATED: February 21, 2025 McGuireWoods LLP

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By: /s/ Shaun H. Crosner  
Shaun H. Crosner  
Attorneys for Plaintiff